

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

NHAN VAN NGUYEN and HAI TAN LUU

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:09-CV-00064-LG-RHW

PRIME INSURANCE SYNDICATE, INC.

DEFENDANT

MOTION TO REOPEN CASE

COMES NOW, Defendant, Prime Insurance Syndicate, Inc. (“Prime”), by and through counsel, and moves the Court to reopen this case to permit this defendant to file a motion to enforce settlement reached by and between the parties in this case, and in support thereof would show as follows:

1.

This Court entered an Agreed Judgment of Dismissal, Document 12, in this case on December 9, 2009. Within this Judgment, this Court specifically retained jurisdiction to enforce the settlement agreement.

2.

The Agreed Judgment of Dismissal permitted a party to move to reopen the case “for enforcement of the settlement agreement.”

3.

This defendant has yet to receive the executed Absolute Release with Covenants from the plaintiff and now wishes to move to enforce the settlement agreement reached by and between the parties.

WHEREFOR, PREMISES CONSIDERED, Prime Insurance Syndicate, Inc. requests that this Court reopen this case to permit this defendant to file a motion to enforce the settlement agreement

reached by and between the parties.

Respectfully submitted,

PRIME INSURANCE SYNDICATE, INC.

BY: /s/ Paul V. Ott
OF COUNSEL

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CERTIFICATE

I, Paul V. Ott, of counsel for defendant, Prime Insurance Syndicate, Inc., do hereby certify that I have this day electronically served a true and correct copy of the above and foregoing pleading to:

John B. Scofield, Jr.
CADDELL & CHAPMAN
1331 Lamar, Suite 1070
Houston, TX 77010

Wynn E. Clark, Esq.
2510 16th Street
Gulfport, MS 39501
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P.O. Drawer 1268
Pascagoula, MS 39568-1268

THIS, the 29th day of April, 2010.

/s/ Paul V. Ott
OF COUNSEL